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H. STUART CUNNINGHAM

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CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

D. GOTTLIEB & CO.,
WILLIAMS ELECTRONICS, INC. and
ROCKWELL INTERNATIONAL CORPORATION,

Defendants.

Civil Action No. 78 C 2246 ✓

and

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

GAME PLAN INCORPORATED and
ASTRO GAMES, INC.,

Defendants.

Civil Action No. 79 C 713 ✓

PLAINTIFF'S MOTION TO DISMISS DEFENDANT
ASTRO GAMES, INC. WITHOUT PREJUDICE

Plaintiff hereby moves this Honorable Court to dismiss without prejudice as to Astro Games, Inc. the complaint filed on February 23, 1979. No answer or other pleading has been filed by Astro Games, Inc. in response to the complaint.

It is the understanding of plaintiff that Astro Games, Inc. is insolvent and is involved in some proceedings

under the bankruptcy act. In view of that and the fact that no responsive pleading has been filed, plaintiff moves this Court for an order dismissing Astro Games, Inc. without prejudice.

By

Jerold B. Schnayer
Donald L. Welsh
A. Sidney Katz
Jerold B. Schnayer
Fitch, Even & Tabin
135 South LaSalle Street
Chicago, Illinois 60603
(312) 372-7842

Attorneys for Plaintiff

October 16, 1979

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION,)

Plaintiff,)

v.)

D. GOTTLIEB & CO.,)
WILLIAMS ELECTRONICS, INC.)
and)

ROCKWELL INTERNATIONAL CORPORATION,)

Defendants.)

CIVIL ACTION NO. 78 C 2246

Judge John F. Grady

and

BALLY MANUFACTURING CORPORATION,)

Plaintiff,)

v.)

GAME PLAN, INCORPORATED and)
ASTRO GAMES, INC.,)

Defendants.)

CIVIL ACTION NO. 79 C 713

NOTICE OF MOTION

TO: John F. Lynch, Esq.
Arnold, White & Durkee
2100 Transco Tower
Houston, Texas 77056

Melvin M. Goldenberg, Esq.
McDougall, Herish & Scott
135 South LaSalle Street
Suite 1540
Chicago, Illinois 60603

Charles S. Oslakovic, Esq.
Leydig, Voit, Osann, Mayer
Holt, Ltd.
One IBM Plaza
Room 4600
Chicago, Illinois 60611

Cary S. Fleischer, Esq.
Mass, Miller and Josephson
221 North LaSalle Street
Chicago, Illinois 60601

Gerson E. Meyers, Esq.
Dressler, Goldsmith, Clement,
Gordon & Shore, Ltd.
1800 Prudential Plaza
Chicago, Illinois 60601

PLEASE TAKE NOTICE that the attorneys of record for plaintiff, Bally Manufacturing Corporation shall appear before the Honorable John F. Grady, U.S. District Judge, in the room usually occupied by him or whoever shall be sitting in his stead, on October 17, 1979, 2:00 p.m. or as soon thereafter as counsel can be heard, and will present the attached Plaintiff's Motion to Dismiss Defendant Astro Games, Inc. Without Prejudice.

Frederic B. Schreyer
One of the Attorneys for Plaintiff